

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CITY OF LIVONIA EMPLOYEES'
RETIREMENT SYSTEM, On Behalf of Itself
and All Others Similarly Situated,

Plaintiff,

vs.

WYETH, et al.,

Defendants.

x

: Civil Action No. 1:07-cv-10329-RJS

:

: CLASS ACTION

:

: **ECF CASE**

:

: DECLARATION OF MATTHEW P.

:

: MONTGOMERY FILED IN SUPPORT OF

:

: APPLICATION FOR AWARD OF

:

: ATTORNEYS' FEES AND EXPENSES

:

x

I, MATTHEW P. MONTGOMERY, declare as follows:

1. I am a member of the Montgomery Law Firm at 402 W. 3rd St. #602, Austin Texas, 78701. I am submitting this declaration in support of the application for an award of attorneys' fees and expenses in connection with services rendered on behalf of the class in the above-entitled action.

2. I am a 1995 graduate of Boalt Hall School of Law at the University of California, Berkeley. I have practiced securities litigation for the past fourteen years and have served as a litigation partner on more than a dozen cases involving certified shareholder classes, including numerous cases involving the development and marketing of pharmaceutical products.

3. Between 2006 and 2009, I was a partner at Robbins Geller Rudman & Dowd. In that capacity, I was involved in the investigation and drafting of the initial complaint in the above-captioned action. After leaving Robbins Geller Rudman & Dowd LLP and starting the Montgomery Law Firm, I assisted Lead Counsel in the identification and analysis of discovery related to the development and regulatory approval of the drug Pristiq. Specifically, relying upon my familiarity with the above-captioned action and the pharmaceutical regulatory process, I pursued documents regarding Pristiq from the European Medicines Agency ("EMA") via their equivalent of the Freedom of Information Act. After conferring with the EMA on multiple occasions, I obtained the requested documents, then reviewed them for both completeness and substance. Subsequently, I assisted Lead Counsel in preparing for numerous depositions that would have involved documents produced by the EMA or information contained in those documents.

4. Throughout my involvement in this matter, I ensured that my firm did its part to litigate efficiently, without undue duplication of effort, and at minimal expense. I believe that the time reflected in my firm's lodestar calculation is reasonable in amount and was necessary for the effective and efficient prosecution and resolution of the Litigation.

5. The total number of hours I spent on this litigation is 241.2. The total lodestar amount for attorney time based on my current hourly rate of \$660/hr. is \$159,192. My hourly rate is the usual and customary rate charged by my firm.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 7th day of January, 2013, at Scottsdale, Arizona.



MATTHEW P. MONTGOMERY

CERTIFICATE OF SERVICE

I hereby certify that on January 10, 2013, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on January 10, 2013.

s/ Tor Gronborg

TOR GRONBORG

ROBBINS GELLER RUDMAN
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Mailing Information for a Case 1:07-cv-10329-RJS

Electronic Mail Notice List

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)